

1 Brenda S. Molner, WSBA #28295
2 ATER WYNNE LLP
3 601 Union Street, Suite 5450
4 Seattle, WA 98101-2327
5 Tele: (206) 623-4711
6 Fax: (206) 467-8406
7 Email: bsm@aterwynne.com
8 Attorneys for Pacific Erectors, Inc.

The Honorable Edward F. Shea

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON
AT SPOKANE

UNITED STATES OF AMERICA for
the use and benefit of PACIFIC
ERECTORS, INC.,

Plaintiff,

v.

LANDEL CORPORATION;
TRAVELERS CASUALTY & SURETY
COMPANY OF AMERICA,

Defendants.

Case No. CV-04-3130-EFS

**STIPULATION AND ORDER
OF DISMISSAL WITH
PREJUDICE**

STIPULATION

Pursuant to FRCP 41(a)(1), the parties hereby stipulate and agree that this
action may be dismissed with prejudice and without an award of fees or costs to
any party, per the subjoined order.

1 DATED this 27th day of OCTOBER, 2005.

2 ATER WYNNE LLP

STANISLAW ASHBAUGH, LLP

3
4 By: Brenda Molner
5 Brenda Molner, WSBA # 28295
6 Attorneys for Plaintiff
Pacific Erectors, Inc.

By: [Signature]
John Riper, WSBA #11161
Attorneys for Defendant Landel
Corporation

7 FERRING NELSON LLP

8
9 By: Michael Ferring
10 Michael Ferring, WSBA # 19399
11 Attorneys for Defendant Travelers
Casualty & Surety Company of
America

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4 Attorneys for Plaintiff
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Corporation

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8 Attorneys for Defendant Travelers
9 Casualty & Surety Company of
10 America
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STIPULATION AND ORDER STAYING ACTION PENDING COMPLETION OF
ARBITRATION. (Case No. CV-04-3130-EFS)- Page 2
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ATER WYNNE LLP
LAWYERS
601 UNION STREET, SUITE 5450
SEATTLE, WA 98101-2327
(206) 623-4711

ORDER

Upon stipulation of the parties:

IT IS HEREBY ORDERED that all claims asserted in the above-entitled action are hereby DISMISSED WITH PREJUDICE and without an award of fees or costs to any party.

DONE IN OPEN COURT this 2nd day of November, 2005.

s/ Edward F. Shea
Judge Edward F. Shea

Presented By:

ATER WYNNE LLP

By Brenda Molner
Brenda Molner, WSBA # 28295
Attorneys for Plaintiff Pacific Erectors, Inc.

**Copy Received; Form Approved; and
Notice of Presentation Waived By:**

STANISLAW ASHBAUGH LLP

FERRING NELSON LLP

By: John Riper
John Riper, WSBA #11161
Attorneys for Defendant Landel
Corporation

By: Michael Ferring
Michael Ferring, WSBA # 19399
Attorneys for Defendant Travelers
Casualty & Surety Company of
America

ORDER

Upon stipulation of the parties:

IT IS HEREBY ORDERED that the above-captioned matter is stayed pending conclusion of an arbitration between plaintiff United States of America for the use and benefit of Pacific Erectors, Inc., and defendant Landel Corporation.

DONE IN OPEN COURT this ____ day of _____, 2005.

Judge Edward F. Shae

Presented By:

ATER WYNNE LLP

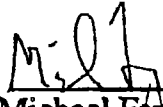
By _____
Brenda Molner, WSBA # 28295
Attorneys for Plaintiff Pacific Erectors, Inc.

***Copy Received; Form Approved; and
Notice of Presentation Waived By:***

STANISLAW ASHBAUGH, LLP

FERRING NELSON LLP

By: _____
John Riper, WSBA #11161
Attorneys for Defendant Landel
Corporation

By:  _____
Michael Ferring, WSBA # 19399
Attorneys for Defendant Travelers
Casualty & Surety Company of
America

CERTIFICATE OF SERVICE

I hereby certify that on 28 day of October, 2005, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following persons:

Michael H. Ferring: mike@fnllp.com

and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants:

John S. Riper
Stanislaw Ashbaugh LLP
701 Fifth Avenue
Suite 4400
Seattle, WA 98104-7012

DATED this 28 day of October, 2005, at Seattle, Washington.

/s/ Brenda S. Molner

Brenda S. Molner, WSBA #28295
Ater Wynne LLP
601 Union Street, Suite 5450
Seattle, WA 98101-2327
Telephone: 206-623-4711

Email: bsm@aterwynne.com